



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

PILLSBURY WINTHROP, LP  
P.O. BOX 10500  
MCLEAN VA 22102

COPY MAILED

DEC 3 0 2003

In re Application of  
Van Benthem et al <sup>154</sup>  
Application No. 09/645,243  
Filed: January 5, 2001  
Attorney Docket No. 030268-0275922

OFFICE OF PETITIONS  
DECISION GRANTING PETITION  
UNDER 37 CFR 1.182

This is a decision on the petition filed November 10, 2003, requesting under 37 CFR 1.182 that the acceptance of the terminal disclaimer filed July 17, 2002, be withdrawn. The \$130 petition fee has been received.

The petition is granted.

Petitioners assert that as the claims for which the aforementioned terminal disclaimer was originally proffered have now been amended to remove the basis for the previous obviousness-type double patenting rejection, there is no further need for the disclaimer to remain recorded against this application. The undersigned has consulted with the examiner in charge of this application, and has found that the examiner concurs with petitioners' assertion. Accordingly, the terminal disclaimer is withdrawn. USPTO records for the above-identified application have been changed consistent with this decision.

Telephone inquiries related to this decision should be addressed to the undersigned at (703) 305-1820.

Brian Hearn  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy